

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed October 3, 2006 (the "Office Action"). Claims 1-20 are pending in the application. The Office Action rejects Claims 1-20. Applicant amends Claims 1, 9 and 17 and cancels Claims 6, 14 and 20. Applicant respectfully requests reconsideration and favorable action in this case.

Rejections

The Examiner rejects Claims 1, 2, 7, 9, 10, 15, 17 and 18 under 35 U.S.C. 102(e) as being anticipated by European Patent Office Publication No. 1096713 to Yoshizawa et al. ("*Yoshizawa*"). The Examiner rejects Claims 3-5, 11-13 and 19 under 35 U.S.C. 102(e) as being unpatentable over *Yoshizawa*. The Examiner rejects Claims 6, 14 and 20 under 35 U.S.C. 102(e) as being unpatentable over *Yoshizawa* in view of U.S. Patent Application Publication No. 2003/0223682 issued to Kinoshita et al. ("*Kinoshita*"). The Examiner rejects Claims 8 and 16 under 35 U.S.C. 102(e) as being unpatentable over *Yoshizawa* in view of U.S. Patent Application Publication No. 2002/0048066 issued to Antoniadis et al. ("*Antoniades*"). Applicant respectfully traverse these rejections.

Claims 1, 9 and 17 have each been amended to recite the elements originally included in dependent Claims 6, 14 and 20, respectively. The Office Action rejected Claims 1, 9 and 17 under 35 U.S.C. § 103(a) as being unpatentable over *Yoshikaza* in view of *Kinoshita*. As specified in 35 U.S.C. § 103(c), "subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person." At the time the invention was made, the subject matter of *Kinoshita* and the claimed invention were both subject to an obligation of assignment to Fujitsu Network Communications, Inc. Thus, Applicants respectfully submit that *Kinoshita* is not available as a prior art reference for use in Section 103 rejections. Applicants thus respectfully request allowance of Claims 1, 9 and 17 and all claims depending therefrom.

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CONCLUSION

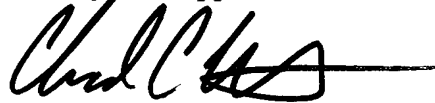
Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests full allowance of all pending claims.

If the present application is not allowed and/or if one or more of the rejections is maintained, Applicant hereby requests a telephone conference with the Examiner and further requests that the Examiner contact the undersigned attorney to schedule the telephone conference.

No fee is believed to be due. However, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicant



Chad C. Walters
Reg. No. 48,022
(214) 953-6511

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CORRESPONDENCE ADDRESS:

Customer Number: **05073**